

AN ORDINANCE AMENDING THE DESLOGE CITY CODE, CHAPTER 210 ANIMALS, ARTICLE I DOG AND CAT CONTROL, ADDING SECTION 210.115 BITE CASES – OBSERVATION, AND SECTION 210.118 VICIOUS ANIMALS. --SEVERABILITY--EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DESLOGE, MISSOURI, AS FOLLOWS:

SECTION 1. The Board of Alderpersons hereby amend; **Chapter 210, Article I Dog and Cat Control, Adding Section 210.115 Bite Cases-Observation, and Section 210.118 Vicious Animals**

SECTION 2. The Board of Alderpersons hereby amends Chapter 210 Animals Article I Dog and Cat Control with the addition of Sections 210.115, and 210.118. (attached)

SECTION 3. Severability. If any section, subsection, sentence, clause, or portion of this ordinance shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. Effective date. This ordinance shall be in full force and effect from and after the date of its passage and approval.

FIRST READING SEPTEMBER 9, 2024


SECOND READING SEPTEMBER 9, 2024

	AYE	NAY	ABSENT	ABSTAIN
WARD I				
Alderman M. Bonney	X	---	---	---
Alderman J. Wigger	---	---	X	---
WARD II				
Alderwoman L. Moore	X	---	---	---
Alderwoman K. Harris	X	---	---	---
WARD III				
Alderwoman D. Kester	X	---	---	---
Alderman T. Crews	X	---	---	---

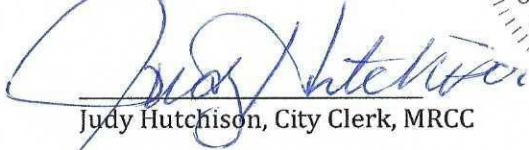
PASSED AND APPROVED THIS 9TH DAY OF SEPTEMBER 9, 2024, BY A VOTE OF

5 AYES, 0 NAYS, 0 ABSTENTIONS AND 1 ABSENT.

CITY OF DESLOGE, MISSOURI

BY: 
Peter Pasternak, Mayor

ATTEST:


Judy Hutchison, City Clerk, MRCC



Section 210.118 Vicious Animals.

A person commits the offense of keeping a dangerous animal if said person owns or possesses an animal that has previously bitten, attacked or aggressively pursued any person or domestic animal without provocation and that animal bites any person on a subsequent occasion.

- A. Any person who owns or possesses an animal subject to this Section and Subsections thereof shall abide by the following requirements:
1. **Vicious Animal Confinement.** All vicious animals shall be securely confined within a building or in a securely enclosed and locked pen.
 2. **Standards Of Vicious Animal Pens.** A pen used for containing a vicious animal must have secure sides of sufficient height for the breed and a secure top attached to the sides to prevent escape. Such pen must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two (2) feet as to prevent animals from digging and getting loose. The pen must be locked with a key or combination lock when such animals are inside the structure. One (1) or more signs must be posted stating "Beware of Animal" or "This Animal Bites" or the likes thereof. Said signs must be visible from all directions for any person approaching the pen or building to see.
 3. **Building Confinement of Vicious Animals.** When confined within a building, no vicious animals may be kept on a porch, patio or in any part of said building that would allow the animal to leave on its own volition. No such animal shall be kept in a building where windows are not secured in a manner that would prevent the animal from escaping. Signs stating a "warning" must be posted at all entrances to the building. In addition, the owner shall display a sign on his or her premises that there is a vicious animal on the property. This sign shall be visible and capable of being read from each thoroughfare from which the property may be entered.
 4. **Care Of Pen/Building.** All structures which house vicious animals must comply with all applicable zoning and building regulations. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.
 5. **Vicious Animals Outside of Their Pen or Building.** No person shall permit a vicious animal to go outside its pen or building unless such animal is muzzled and securely leashed with a leash no longer than six (6) feet in length. The animal must be under the actual physical control of a capable adult. Such an animal shall not be leashed or tied to an inanimate object such as trees or posts or any other structure or object.
 6. **Vicious Animal Insurance.** The owner or keeper of an animal defined as vicious under this Section must provide proof of insurance to the Animal Control Officer upon request by an insurance company licensed to do business in the State of Missouri providing personal liability coverage with a minimum liability amount of one hundred thousand dollars (\$100,000.00) for the injury or death of any person, damage to property of others and for acts of negligence by the owner or his/her agents. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days' written notice is first given to the Animal Control Officer.
 7. **Seizure And Disposition of Vicious Animals.** Any animal deemed vicious and found to be unrestrained or in violation of this Section at any point in time may be subject to be impounded and destroyed by humane euthanasia.
 8. **Deeming An Animal Vicious.** An animal may be deemed vicious by the Police Chief, Director of Public Works and Building Official or the Animal Control Officer after reviewing the statements from all parties involved submitted by the Animal Control Officer.

9. Thirty (30) Days to Comply. The owner will have thirty (30) days to comply with the vicious animal standards or to have the animal removed from the City limits. If the owner relocates the animal, they must notify the Animal Control Officer of the animal's new location.
10. Vicious animal registration tag must be purchased and renewed annually. The cost for the vicious animal registration tag shall be seven dollars (\$7.00) annually.

Chapter 210 Animals

Article I Dog and Cat Control

Section 210.115 Bite Cases – Observation Period

It shall be the duty of the Animal Control Officer (ACO) to keep or cause to be kept accurate and detailed records of all bite cases reported and investigations of such bite cases.

- A. Any dog, cat, or any other animal kept as a pet, which has bitten a person or another animal and said person or animal's wound results in blood drawn shall be put under a ten (10) day quarantine as directed by the National Veterinary Compendium.
 1. It shall be the duty of every physician to report immediately to the City Animal Control Officer (ACO) the name, age, and address of any person under his/her care for having been bitten by an animal and every veterinarian treating or having under observation an animal suspected of having been exposed to rabies shall report to the Animal Control Officer the owner's name and address and animal's vaccination history.
 2. If said animal is current on rabies vaccination, animal will be quarantined for ten (10) days, not counting the first (1st) initial day of bite incident, at owner's residence under the following guidelines:
 - a. Animal will be kept indoors for the ten (10) day period. The owner may take the animal out briefly to allow it to void but must be restrained and in the owner's presence and immediately taken back indoors afterward.
 - b. At end of the ten (10) day quarantine the Animal Control Officer shall observe the animal and notify the victim of its condition. The owner must then post warning signs on property which notify persons approaching said property that animal may bite. Examples: "This animal bites" or "Warning" or "Beware of Animal" or likes thereof.
 - c. In addition to the penalty set forth in section 210.110 at any point throughout the quarantine period if it is found that the owner is not complying with proper procedure, the animal shall be confiscated from owner to finish quarantine at City Pound.
 3. If said animal is not current on rabies vaccination, owner must relinquish pet to the Animal Control Officer for quarantine at the city pound or with a licensed veterinarian of the owner's choice.
 - a. At the end of the quarantine period, providing animal is healthy and exhibiting no signs of illness, if the city pound is where the animal was quarantined, the owner will pay the required impound fee to the city pound regardless of whether owner wishes to receive their animal back or surrenders it to the City of Desloge for disposal.
 - b. If the animal was kept with a veterinarian, no fee to the city will be required. If the owner surrenders the animal, said animal shall not be made available for adoption and instead will be immediately and humanely euthanized.
 - c. Animal Control Officer must have an appointment with a veterinarian for the same day that animal is released from quarantine for its rabies vaccination. The Animal Control Officer shall take the animal to appointment and then owner may pick animal up from veterinarian office after receiving rabies vaccination.
 - d. Owner must post warning signs on the property which notify persons approaching said property that animal may bite. Examples: "This Animal Bites" or "Warning" or "Beware of Animal" or the likes thereof.
 4. If animal dies while under quarantine, regardless of location or cause of death, the head shall be removed and submitted for rabies testing. There will be a handling fee for this service payable by the owner of said animal.